

**RECEIVED
CENTRAL FAX CENTER****APR 20 2009**60,469-254
OT-5282**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kulak, Richard
Serial Number: 10/574,653
Filed: 04/04/2006
Group Art Unit: 3654
Examiner: Kruer, Stefan
Confirmation No.: 7623
Title: ELEVATOR ROLLER GUIDE WITH VARIABLE
STIFFNESS DAMPER

**RESPONSE TO OFFICE COMMUNICATION
REGARDING INFORMATION DISCLOSURE STATEMENT**

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Communication mailed on April 9, 2009, indicating that the Information Disclosure Statement filed on 25 March 2009 is not being considered, Applicant hereby provides the certification statement in accordance with 37 CFR 1.97(e). The Information Disclosure Statement cited the document JP 07010419. That document was first cited in a corresponding Japanese patent application in an office action mailed by the Japanese Patent Office on January 13, 2009. Given that the original Information Disclosure Statement was filed on 25 March 2009, the item of information contained in that Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign

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application not more than three months prior to the filing of the Information Disclosure Statement. Applicant hereby makes that certification.

Applicant requests that the Information Disclosure Statement be considered. A copy of that IDS is attached.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

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(248) 988-8360

Dated: April 20, 2009

CERTIFICATE OF FACSIMILE

I hereby certify that this Response, relative to Application Serial No. 10/574,653 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on April 20, 2009.


Theresa M. Palmateer

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APR 20 2009

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**
(Not for submission under 37 CFR 1.99)

Application Number	1057465
Filing Date	2006-04-04
First Named Inventor	Kulak, Richard
Art Unit	3654
Examiner Name	Kruer, Stefan
Attorney Docket Number	60469-254;5282

CERTIFICATION STATEMENT

Please see 37 CFR 1.97 and 1.98 to make the appropriate selection(s):

- ☐ That each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1).

OR

- ☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

- ☐ See attached certification statement.
- ☒ Fee set forth in 37 CFR 1.17 (p) has been submitted herewith.
- ☐ None

SIGNATURE

A signature of the applicant or representative is required in accordance with CFR 1.33, 10.18. Please see CFR 1.4(d) for the form of the signature.

Signature	/David J. Gaskey/	Date (YYYY-MM-DD)	2009-03-25
Name/Print	David J. Gaskey	Registration Number	37,139

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.